

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BRIAN K. REINBOLD,

Plaintiff,

Case No. 04-342 (GMS)

- VS. -

NATIONAL ASSOCIATION OF LETTER
CARRIERS BRANCH 1977,

Defendants.

BRIAN K. REINBOLD,

Plaintiff,

Case No. 05-047 (GMS)

- VS. -

UNITED STATES POSTAL SERVICE and
NATIONAL ASSOCIATION OF LETTER
CARRIERS BRANCH 191,

Defendants.

**MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS NATIONAL
ASSOCIATION OF LETTER CARRIERS BRANCH 191 AND 1977**

Defendants National Association of Letter Carriers Branch 191 and Branch 1977 (the “NALC Defendants”) hereby move the Court to enter summary judgment in their favor and aver as follows:

1. Plaintiff's sole claim against the NALC Defendants is that the NALC Defendants breached their duty of fair representation ("DFR").

2. On April 10, 2006 this Court granted the Postal Service's motion for summary judgment, holding that the NALC Defendants did not breach their DFR.

3. Under the law of the case doctrine or, in the alternative, collateral estoppel, Plaintiff's DFR claims must be dismissed because this Court has previously ruled that the NALC Defendants did not breach their DFR.

WHEREFORE, the NALC Defendants move this Court to enter summary judgment in their favor and all other relief as is just and proper.

Dated: April 21, 2006

/s/ Susan E. Kaufman

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Attorneys for Defendants National
Association of Letter Carriers Branch 1977

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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BRIAN K. REINBOLD, :
:
Plaintiff, : Case No. 04-342 (GMS)
:
- vs. - :
:
NATIONAL ASSOCIATION OF LETTER :
CARRIERS BRANCH 1977, :
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Defendants. :
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Plaintiff, : Case No. 05-047 (GMS)
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- vs. - :
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UNITED STATES POSTAL SERVICE and :
NATIONAL ASSOCIATION OF LETTER :
CARRIERS BRANCH 191, :
:
Defendant. :
:
-----X

CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2006, I electronically filed the Motion for Summary Judgment of Defendants National Association of Letter Carriers Branch 191 and Branch 1977 with the Clerk of the Court using CM/ECF which will send notification of such filing to Patricia Hannigan, Assistant United States Attorney, 700 Orange Street, Suite 700, Wilmington, Delaware 19899, Counsel for Defendant United States Postal Service.

I hereby certify that on April 21, 2006, I have mailed by first-class mail two copies of the Motion for Summary Judgment of Defendants National Association of Letter Carriers Branch 191 and Branch 1977 to the following non-participant in Electronic Case Filing: Plaintiff Brian K. Reinbold, 3909 Delaware Street, Apt. #B, Wilmington, Delaware 19808.

/s/ Susan E. Kaufman

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